

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

USA

vs.

**(1) VESY MICHELL
HERNANDEZ-ZAVALA**

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Case Number: EP:25-M -00351(1) RFC

ORDER SETTING PRELIMINARY / DETENTION HEARING

IT IS HEREBY ORDERED that the above entitled and numbered case is set for **PRELIMINARY / DETENTION HEARING**, in Magistrate Courtroom 612, on the 6th Floor of the United States Courthouse, 525 Magoffin Avenue, El Paso, TX, on:

January 30, 2025 at 03:00 PM

Defense Counsel is **ORDERED** to meet and confer with the Defendant prior to the time of the hearing. Failure to do so, in absence of good cause, will result in termination of the appointment of counsel.

IT IS FURTHER ORDERED that the Clerk of Court shall send a copy of this order to the defendant, counsel for defendant, the United States Attorney, U.S. Pretrial Services, United States Probation Office, and any surety or custodian, if applicable. Counsel for the defendant shall notify the defendant of this setting and if the defendant is on bond, advise the defendant to be present at this proceeding.

In accordance with Federal Rule of Criminal Procedure 5(f), as amended by the Due Process Protections Act, Pub. L. No. 116-182, 134 Stat. 894 (Oct. 21, 2020), the Government is hereby notified of and ordered to comply with (1) the prosecutor's disclosure obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and (2) the possible consequences of violating this Order, which may include sanctions such as delay of trial or other proceedings, the exclusion of evidence, the giving of adverse jury instructions, the grant of new trial, the dismissal of an action, or finding in contempt.

IT IS SO ORDERED this 27th day of January, 2025.


ROBERT F. CASTANEDA
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

USA

vs.

(1) VESY MICHELL HERNANDEZ-ZAVALA

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NO: EP:25-M -00351(1) RFC

**WAIVER OF PRELIMINARY HEARING
AND/OR DETENTION HEARING**
(Rule 5 or 32.1, Fed.R.Crim.P.)

PRELIMINARY HEARING

I, (1) VESY MICHELL HERNANDEZ-ZAVALA, charged in a complaint pending in this District, and having appeared before this Court and been advised of my rights as required by Rule 5 or 32.1, Fed.R.Crim.P., including my right to have a preliminary hearing, I have been advised that at a preliminary hearing, the government will be required to provide evidence to support the charges pending against me. Now, appearing with the benefit of counsel I, do hereby waive (give up) my right to a preliminary hearing.

Yo, (1) VESY MICHELL HERNANDEZ-ZAVALA, el inculpado en una acusación pendiente en este Distrito, he comparecido ante este Tribunal y me han informado de mi derecho a una audiencia preliminar, cumpliendo con el reglamento 5 o 32.1 de los Reglamentos de Procedimientos Penales Federales, por este medio renuncio (abandono) a mi derecho a una audiencia preliminar.

Date/Fecha

(1) VESY MICHELL HERNANDEZ-ZAVALA,
Defendant/Acusado

DETENTION HEARING

I have also been advised of my right to a detention hearing. I have been advised that, at a detention hearing, the court will hear evidence to determine whether I should be held in jail without bond or whether a bond should be set for me. I have been advised that, if I waive (give up) my right to a detention hearing, I will be held in jail without bond while I wait for trial. I have discussed this right with counsel, and I hereby waive (give up) my right to have a detention hearing.

También me han informado de mi derecho a una audiencia para fijar fianza, el juez recibirá las pruebas para poder determinar si seguiré detenido sin fianza o si me fijarán fianza. Me han informado que si renuncio (abandono) mi derecho a una audiencia para fijar fianza, seguiré detenido sin fianza hasta que se me someta a juicio. Renuncio (abandono) mi derecho a una audiencia para fijar fianza.

Date/Fecha

(1) VESY MICHELL HERNANDEZ-ZAVALA,
Defendant/Acusado

Biddle Richard, Jackeline,
COUNSEL FOR DEFENDANT